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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) No. CR-05-00543-CW  
11 v. Plaintiff, ) STIPULATION OF PARTIES; ORDER  
12 ) CONTINUING DATES  
13 TOMAS VELO-PEREZ, ERNESTO )  
CABRERA )  
14 )  
15 )  
16 \_\_\_\_\_

17 IT IS HEREBY STIPULATED, by and between the parties to this action, that the  
18 STATUS HEARING date of October 31, 2005, presently scheduled at 2:00 p.m., before the  
19 Honorable Claudia Wilken, be vacated and a re-set for November 28, 2005 at 2:00 p.m.  
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21 The reason for this request is that additional time is needed to effectively review discovery  
22 and research potential motions in this case. Discovery in this case consists of numerous reports,  
23 CD-ROM's containing photographs, DVD's of video surveillance, and audio tapes of purported  
24 controlled calls. All of the audio recordings are in Spanish and will need to be translated. The  
25 materials will need to be reviewed with the defendants in custody. Defense counsel have both  
26 begun review of discovery but have not completed it to the degree necessary to assess which  
motions will be filed, if any.

1       The parties agree and stipulate that a period of time of four additional weeks should be  
2 excluded under the speedy trial act, 18 U.S.C. §3161(H)(8)(A) and (B) in that the ends of justice  
3 served by the granting of the continuance outweigh the bests interests of the public and the  
4 defendant in a speedy and public trial. The continuance is necessary to accommodate counsel's  
5 preparation efforts.

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9 DATED: 10/28/05

/S/

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JAMES E. KELLER  
Assistant United States Attorney

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DATED: 10/28/05

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JOHN PAUL REICHMUTH  
Assistant Federal Public Defender  
Counsel for Mr. Velo Perez

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DATED: 10/28/05

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I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
“conformed” signature (/S/) within this efiled document.

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RANDY SUE POLLOCK  
Counsel for Mr. Cabrera

1 UNITED STATES OF AMERICA VS. VELO PEREZ, CABRERA

2  
3 **ORDER**

4 FINDINGS OF THE COURT:

- 5       1. The ends of justice served by the granting of the continuance outweigh the best interests of  
6 the public and the defendant in a speedy and public trial.  
7       2. The continuance is required to accommodate the defendants' continuing investigation and  
8 research of this case

9           IT IS HEREBY ORDERED that a period of time of four weeks and be excluded under the  
10 speedy trial act, 18 U.S.C. Section 3161(H)(8)(A) and (B), between October 31, 2005 and  
11 November 28, 2005. Further, upon stipulation of the parties to the above-entitled matter and good  
12 cause appearing,

13           IT IS HEREBY ORDERED that the STATUS HEARING date of October 31, 2005,  
14 presently scheduled at 2:00 p.m., before the Honorable Claudia Wilken, be vacated and a re-set for  
15 November 28, 2005 at 2:00 p.m.

16 DATED: 10/28/05

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19           HON. CLAUDIA WILKEN  
20           UNITED STATES DISTRICT JUDGE  
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